File No. 429

Substitute Senate Bill No. 411

Senate, April 8, 1998. The Committee on Judiciary reported through SEN. WILLIAMS, 29th DIST., Chairman of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING COMMERCIAL AND CUSTOMER-FORMULA FEEDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) As used in sections 1 to 12, inclusive, of this act:

(1) "Person" means an individual, partnership, corporation or association;

(2) "Distribute" means to offer for sale, sell, exchange or barter, or to supply, furnish or otherwise provide;

(3) "Distributor" means any person who distributes;

(4) "Commercial feed" means all materials which are distributed or intended for distribution for use as feed or for mixing in feed, but does not means (A) unmixed whole seeds and physically altered entire unmixed seeds, when such whole or physically altered seeds are not chemically changed or are not adulterated within the meaning of section 5 of this act, and (B) commodities such as hay, straw, stover, silage, cobs, husks, hulls and individual chemical compounds or substances when such commodities, compounds or substances are not intermixed with other materials, and are not

adulterated within the meaning of section 5 of this act;

(5) "Feed ingredient" means each of the constituent materials making up a commercial feed;

(6) "Mineral feed" means a commercial feed intended to supply primarily mineral elements or inorganic nutrients;

(7) "Drug" means any substance intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in animals other than natural persons and substances other than feed intended to affect the structure or any function of the animal body;

(8) "Customer-formula feed" means commercial feed which consists of a mixture of commercial feeds or feed ingredients each batch of which is manufactured according to the specific instructions of the final purchaser;

(9) "Manufacture" means to grind, mix or blend or further process a commercial feed for distribution;

(10) "Brand name" means any word, name, symbol or device, or any combination thereof, identifying the commercial feed of a distributor or registrant and distinguishing it from that of others;

(11) "Product name" means the name of the commercial feed which identifies it as to kind, class or specific use;

(12) "Label" means a display of written, printed or graphic matter upon or affixed to the container in which a commercial feed is distributed, or on the invoice or delivery slip with which a commercial feed is distributed;

(13) "Labeling" means any written, printed or graphic matter (A) upon a commercial feed or any of its containers or wrapper, or (B) accompanying such commercial feed;

(14) "Ton" means a net weight of two thousand pounds avoirdupois;

(15) "Per cent" or "percentages" means percentages by weights;

(16) "Official sample" means a sample of feed taken by the Commissioner of Agriculture, or his designee, in accordance with the provisions of section 8 of this act;

(17) "Contract feeder" means a person who, as an independent contractor, feeds commercial feed

to animals pursuant to a contract whereby such commercial feed is supplied, furnished or otherwise provided by such person and whereby such person's remuneration is determined all or in part by feed consumption, mortality, profits or amount or quality of product;

(18) "Pet food" means any commercial feed prepared and distributed for consumption by pets;

(19) "Pet" means any domesticated animal normally maintained in or near the household of the owner thereof;

(20) "Specialty pet food" means any commercial feed prepared and distributed for consumption by specialty pets;

(21) "Specialty pet" means any domesticated animal pet normally maintained in a cage or tank, such as, but not limited to, gerbils, hamsters, canaries, psittacine birds, mynahs, finches, tropical fish, goldfish, snakes and turtles;

(22) "Quantity statement" means the net weight (mass), net volume (liquid or dry) or count;

(23) "Commissioner" means the Commissioner of Agriculture; and

(24) "Director" means the director of the Connecticut Agricultural Experiment Station.

Sec. 2. (NEW) (a) No person shall manufacture a commercial feed in this state unless he has filed with the Commissioner of Agriculture on forms provided by the commissioner, his name, place of business and location of each manufacturing facility in this state.

(b) No person shall distribute in this state a commercial feed, except a customer-formula feed, which has not been registered pursuant to the provisions of this section. The application for registration shall be submitted in the manner prescribed by the commissioner. Upon approval by the commissioner the registration shall be issued to the applicant. All registrations shall expire on the thirty-first day of December of each year.

(c) The commissioner may refuse registration of any commercial feed not in compliance with the provisions of sections 1 to 12, inclusive, of this act and cancel any registration subsequently found not to be in compliance with any provision of this act provided no registration shall be refused or canceled unless the registrant is given an

opportunity to be heard before the commissioner and to amend his application in order to comply with the requirements of sections 1 to 12, inclusive, of this act.

Sec. 3. (NEW) (a) A commercial feed shall be labeled as provided in this section.

(b) In case of a commercial feed, except a customer-formula feed, the feed shall be accompanied by a label bearing the following information: (1) The quantity statement; (2) the product name and the brand name, if any, under which the commercial feed is distributed; (3) the guaranteed analysis stated in such terms as the Commissioner of Agriculture, by regulation adopted in accordance with the provisions of chapter 54 of the general statutes, determines is required to advise the user of the composition of the feed or to support claims made in the labeling. In all cases the substances or elements shall be determinable by laboratory methods such as the methods published by the Association of Analytical Chemists International; (4) the common or usual name of each ingredient used in the manufacture of the commercial feed provided the commissioner, by regulation adopted in accordance with the provisions of chapter 54 of the general statutes, may permit the use of a collective term for a group of ingredients which perform a similar function, or he may exempt such commercial feeds, or any group thereof, from the requirement of an ingredient statement if he finds that such statement is not required in the interest of consumers; (5) the name and principal mailing address of the manufacturer or the person responsible for distributing the commercial feed; (6) adequate directions for use for all commercial feeds containing drugs and for such other feeds as the commissioner may require by regulation as necessary for their safe and effective use; and (7) such precautionary statements as the commissioner by regulation determines are necessary for the safe and effective use of the commercial feed.

(c) In the case of a customer-formula feed, the feed shall be accompanied by a label, invoice, delivery slip or other shipping document bearing the following information: (1) The name and address of the manufacturer; (2) the name and

address of the purchaser; (3) the date of delivery; (4) the product name and quantity statement of each commercial feed and each other ingredient used in the mixture; (5) adequate directions for use for all customer-formula feeds containing drugs and for such other feeds as the commissioner may require by regulation as necessary for their safe and effective use; (6) the directions for use and precautionary statements as required by regulation; (7) if the feed contains a drug, (A) the purpose of the drug or the claim statement, and (B) the established name of each active drug ingredient and the amount of each drug used in the final mixture expressed in accordance with applicable regulations.

Sec. 4. (NEW) A commercial feed shall be deemed to be misbranded:

(1) If its labeling is false or misleading in any way;

(2) If it is distributed under the name of another commercial feed;

(3) If it is not labeled as required in section 3 of this act;

(4) If it purports to be or is represented as a commercial feed, or if it purports to contain or is represented as containing a commercial feed ingredient, unless such commercial feed or feed ingredient conforms to the definition, if any, prescribed by regulation by the Commissioner of Agriculture; or

(5) If any word, statement or other information required by or under authority of this act to appear on the label or labeling is not prominently placed thereon with such conspicuousness, compared with other words, statements, designs or devices in the labeling and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

Sec. 5. (NEW) A commercial feed shall be deemed to be adulterated: (1) If it bears or contains any poisonous or deleterious substance which may render it injurious to health, except that, if the substance is not an added substance, the feed shall not be considered adulterated under this section if the quantity of such substance in the feed does not ordinarily render it injurious to health; (2) if it bears or contains any added

poisonous, added deleterious or added nonnutritive substance which is unsafe within the meaning of Section 406 of the federal Food, Drug and Cosmetic Act, other than one which is (A) a pesticide chemical in or on a raw agricultural commodity or (B) a food additive; (3) if it is, or bears or contains any food additive which is unsafe within the meaning of Section 409 of the federal Food, Drug and Cosmetic Act; (4) if it is a raw agricultural commodity and it bears or contains a pesticide chemical which is unsafe within the meaning of Section 408(a) of the federal Food, Drug and Cosmetic Act except that, if a pesticide chemical has been used in or on a raw agricultural commodity in conformity with an exemption granted or a tolerance prescribed under Section 408 of the federal Food, Drug and Cosmetic Act and such raw agricultural commodity has been subjected to processing such as canning, cooking, freezing, dehydrating or milling, the residue of such pesticide chemical remaining in or on such processed feed shall not be deemed unsafe if such residue in or on the raw agricultural commodity has been removed to the extent possible in good manufacturing practice and the concentration of such residue in the processed feed is not greater than the tolerance prescribed for the raw agricultural commodity unless the feeding of such processed feed will result or is likely to result in a pesticide residue in the edible product of the animal which is unsafe within the meaning of Section 408(a) of the federal Food, Drug and Cosmetic Act; (5) if it is, or bears or contains, any color additive which is unsafe within the meaning of Section 706 of the federal Food, Drug and Cosmetic Act; (6) if it is, or bears or contains, any new animal drug which is unsafe within the meaning of Section 512 of the federal Food, Drug and Cosmetic Act; (7) if it consists in whole or in part of any filthy, putrid or decomposed substance, or if it is otherwise unfit for feed; (8) if it has been prepared, packed or held under unsanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health; (9) if it is, in whole or in part, the product of a diseased animal or of an animal which has died otherwise than by slaughter which death has

rendered the product unsafe within the meaning of Section 402(a)(1) or (2) of the federal Food, Drug and Cosmetic Act; (10) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health; (11) if it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with the regulation or exemption in effect pursuant to Section 409 of the federal Food, Drug and Cosmetic Act; (12) if any valuable constituent has been, in whole or in part, omitted or abstracted from the feed or any less valuable substance substituted for the feed; (13) if its composition or quality falls below or differs from that which it is purported or is represented to possess by its labeling; (14) if it contains a drug and the methods used in, or the facilities or controls used for, manufacture, processing, or packaging of such drug do not conform to current good manufacturing practice regulations adopted by the Commissioner of Agriculture, in accordance with the provisions of chapter 54 of the general statutes, which shall assure that the drug meets the requirements of this act as to safety, is properly identified and has the strength and meets the quality and purity characteristics which it purports or is represented to possess. In adopting such regulations, the commissioner shall adopt the current good manufacturing practice regulations for Type A Medicated Articles and Type B and Type C Medicated Feeds established under authority of the federal Food, Drug and Cosmetic Act, unless he determines that they are not appropriate to the conditions which exist in this state; or (15) if it contains viable weed seeds in amounts exceeding the limits which the commissioner shall establish by such regulations.

Sec. 6. (NEW) The following acts or the causing of such acts within this state are hereby prohibited:

(1) The manufacture or distribution of any commercial feed that is adulterated or misbranded; (2) the adulteration or misbranding of any commercial feed; (3) the distribution of agricultural commodities such as whole seed, hay, straw, stover, silage, cobs, husks and hulls, which are adulterated within the meaning of

section 5 of this act; (4) the removal or disposal of a commercial feed in violation of an order under section 9 of this act; or (5) the failure or refusal to register and obtain a license in accordance with section 2 of this act.

Sec. 7. (NEW) On or before July 1, 1999, the Commissioner of Agriculture shall adopt, in accordance with the provisions of chapter 54 of the general statutes, such regulations for commercial feeds and pet foods as are specifically authorized in sections 1 to 10, inclusive, of this act and such other reasonable regulations as may be necessary for the efficient enforcement of sections 1 to 10, inclusive, of this act. In the interest of uniformity the commissioner shall by such regulations adopt, unless he determines that they are inconsistent with the provisions of sections 1 to 10, inclusive, of this act or are not appropriate to conditions which exist in this state, the following: (1) The Official Definitions of Feed Ingredients and Official Feed Terms adopted by the Association of American Feed Control Officials and published in the official publication of that organization, and may incorporate by reference any provisions, or future changes to such provisions, which said association may adopt for the regulation of commercial and customer-formula feeds and (2) any regulation promulgated pursuant to the authority of the federal Food, Drug and Cosmetic Act (USC Section 301, et seq.) provided the commissioner otherwise has the authority to adopt such regulations. The commissioner may establish fees in such regulations to defray the costs of administering this section.

Sec. 8. (NEW) (a) Any employee duly designated by the Commissioner of Agriculture, upon presenting appropriate credentials, and a written notice to the owner, operator or agent in charge, may (1) enter, during normal business hours, any factory, warehouse or establishment within this state in which commercial feeds are manufactured, processed, packed or held for distribution, or to enter any vehicle being used to transport or hold such feeds, and (2) inspect at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, establishment or vehicle and all

pertinent equipment, finished and unfinished materials, containers and labeling. The inspection may include the verification of only such records and production and control procedures as may be necessary to determine compliance with the regulations established under section 5 of this act.

(b) A separate notice shall be given for each such inspection but a notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commenced and completed with reasonable promptness. Upon completion of the inspection, the person in charge of the facility or vehicle shall be so notified.

(c) If the officer or employee making such inspection of a factory, warehouse or other establishment has obtained a sample in the course of the inspection, upon completion of the inspection and prior to leaving the premises, he shall give to the owner, operator or agent in charge a receipt describing the samples obtained.

(d) If the owner of any factory, warehouse or establishment described in subsection (a) of this section, or his agent, refuses to admit the commissioner or his designee to inspect in accordance with subsections (a) and (b) of this section, the commissioner may apply to the Superior Court for a warrant directing such owner or his agent to submit the premises described in such warrant.

(e) The commissioner or his designee may enter upon any public or private premises including any vehicle of transport during regular business hours to have access to, and to obtain samples, and to examine records relating to distribution of commercial feeds.

(f) Sampling and analysis shall be conducted in accordance with methods published by the Association of Analytical Chemists International, or in accordance with other generally recognized methods.

(g) The results of all analyses of official samples shall be forwarded by the director to the person named on the label and to the purchaser. When the inspection and analysis of an official sample indicates a commercial feed has been adulterated or misbranded and upon request within

thirty days following the receipt of the analysis the director shall furnish to the registrant a portion of the sample concerned.

(h) The commissioner, in determining for administrative purposes whether a commercial feed is deficient in any component, shall be guided by the official sample, as defined in section 1 of this act and obtained and analyzed as provided in this section.

Sec. 9. (NEW) (a) When the Commissioner of Agriculture, or his designee, has reasonable cause to believe any lot of commercial feed is being distributed in violation of any of the provisions of sections 1 to 10, inclusive, of this act or any regulations adopted under sections 1 to 10, inclusive, of this act, he may issue and enforce a written or printed withdrawal from distribution order, warning the distributor not to dispose of the lot of commercial feed in any manner until written permission is given by the commissioner or the Superior Court. The commissioner shall release the lot of commercial feed so withdrawn when said provisions and regulations have been complied with. If compliance is not obtained within thirty days, the commissioner may begin, or upon request of the distributor or registrant shall begin, proceedings for condemnation.

(b) Any lot of commercial feed not in compliance with said provisions and regulations shall be subject to seizure on complaint of the commissioner to a court of competent jurisdiction in the area in which said commercial feed is located. In the event the court finds said commercial feed to be in violation of sections 1 to 10, inclusive, of this act and orders the condemnation of said commercial feed, it shall be disposed of in any manner consistent with the quality of the commercial feed and the laws of the state provided, in no instance shall the disposition of said commercial feed be ordered by the court without first giving the claimant an opportunity to apply to the court for release of said commercial feed or for permission to process or relabel said commercial feed to bring it into compliance with this section.

Sec. 10. (NEW) The Commissioner of Agriculture may cooperate with and enter into agreements with governmental agencies of this

state, other states, agencies of the federal government and private associations in order to carry out the purposes and provisions of sections 1 to 12, inclusive, of this act.

Sec. 11. (NEW) The Director of the Connecticut Agricultural Experiment Station shall publish at least annually a report of the results of the analyses of official samples of commercial feeds sold within the state as compared with the analyses guaranteed in the registration and on the label.

Sec. 12. (NEW) The program of regulation of commercial and customer-formula feeds established in sections 1 to 6, inclusive, and sections 8 and 9 of this act shall terminate on July 1, 1999.

Sec. 13. (a) Sections 22-118a to 22-118j, inclusive, of the general statutes are repealed.

(b) In codifying the provisions of this act, the Legislative Commissioners shall delete the references to section 22-118i that appear in sections 51-164n and 51-344a of the general statutes.

Sec. 14. This act shall take effect July 1, 1998.

ENV COMMITTEE VOTE: YEA 22 NAY 0 JFS C/R JUD
JUD COMMITTEE VOTE: YEA 39 NAY 0 JFS

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER sSB 411

STATE IMPACT	Minimal Cost, Within Budgetary Resources, Potential Minimal Revenue Loss and Gain, see explanation below
MUNICIPAL IMPACT	None
STATE AGENCY(S)	Department of Agriculture, Agricultural Experiment Station

EXPLANATION OF ESTIMATES:

STATE IMPACT: The workload increase to the Department of Agriculture (DOA)) for additional registrations of commercial feed manufacturers is anticipated to be minimal and handled within existing DOA resources. DOA has been enforcing national regulations administratively for 10 years and this legislation will enable them to adopt them.

Any decrease in revenue due to the elimination of certain fines for violating commericial feed requirements is anticipated to be minimal (maximum fine is $500).

No change in revenue will result from the potential change in the registration fee since the fee has already been established in regulations and remains at $40. Any increase due to additional registrations is anticipated to be minimal.

Changes made in the Agricultural Experiment Station's reporting requirements concerning comparison of feeds sampled are anticipated to have no impact since this change would conform to current practice.

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OLR BILL ANALYSIS

sSB 411

AN ACT CONCERNING COMMERCIAL AND CUSTOMER-FORMULA FEEDS

SUMMARY: This bill requires the Department of Agriculture (DOA) to adopt commercial feed and pet food regulations by July 1, 1999 and terminates the statutory commercial feed program on that date.

It modifies the state's existing feed requirements by:

1. modifying existing definitions defining "pet" and "pet food," "specialty pet" and "specialty pet food" (neither of which it uses), and manufacture;

2. requiring in-state commercial feed manufactures to register with the DOA and requiring distributors to register a feed even if it is already registered by another distributor;

3. expanding the feed labeling requirements to include precautionary statements and authorizing the DOA commissioner to adopt regulations regarding the terms used on the label;

4. expanding the definition of adulterated commercial feed;

5. prohibiting feed manufacture or distribution without registration and a license (but it does not establish any such license) and eliminating the fines for feed requirement violations;

6. requiring written notice upon inspection of feed facilities and establishing certain sampling and analysis requirements; and

7. eliminating the Connecticut Agricultural Experiment Station director from the process of adopting definitions of feed ingredients:

The bill authorizes the DOA to enter into agreements with private associations, other states, and the federal government regarding commercial and customer-formula feeds. It continues to require the agricultural station director to publish, at least annually, a comparison of feeds sampled by the state and their label and registration information, but it eliminates the requirement that the report contain production, sales, and use information.

It replaces references to the Association of Official Analytical Chemists with references to the Association of Analytical Chemists International and makes technical changes.

EFFECTIVE DATE: July 1, 1998

FURTHER EXPLANATION

Sunset and Subsequent Feed Regulation

The bill sunsets the statutory program regulating commercial and customer-formula feeds on July 1, 1999, and requires the DOA commissioner to adopt regulations necessary to regulate commercial feeds by that date. The regulations must include (1) the definitions adopted by the Association of American Feed Control Officials (substantially similar to the bill's definitions) and any future changes, and (2) feed regulations promulgated under the federal Food, Drug and Cosmetic Act (FDCA) (21 USC Sec. 301, et seq.), unless the DOA determines they are inconsistent or inappropriate.

It eliminates the $40 registration fee, but allows the DOA to establish fees in regulation to defray the cost of the program.

New and Modified Feed Definitions

This bill defines "pets" as domesticated animals maintained in or near the owner's household and "pet food" as commercial feed prepared for them. It defines "specialty pets" as domesticated animals maintained in a cage or tank (including gerbils, hamsters, certain birds and fish, and turtles) and "specialty pet food" as commercial feed prepared for them.

The bill eliminates limited liability companies from the definition of "person" (and thereby from the commercial feed registration requirement). It makes technical changes to several definitions.

Registering Feeds

Under current law, commercial feed distributors must register feeds they distribute with DOA, unless someone else already registered them. The bill requires manufactures, in addition to distributors, to register their feeds and eliminates the exception for feeds that are already registered by someone else. It defines "manufacturing" as grinding, mixing, or blending feed for distribution.

Feed Labeling Requirements

Commercial Feed. The bill eliminates the requirement that the label state the maximum and minimum percentages of certain chemicals and substances and instead authorizes the commissioner to adopt regulations specifying the terms used in the guaranteed analysis of the feed ingredients. The terms must be sufficient to advise and inform consumers of the ingredients and any claims made on the label. It requires, rather than allows the commissioner to require, directions for use of feeds containing drugs. And it requires precautionary statements as determined necessary by the DOA.

By law, commercial feed labels must also contain the net weight or volume, the name brand, the guaranteed analysis of the contents, the common names of all ingredients, and the name and address of the distributor.

Customer-Formula Feeds. By law, customer-formula feeds may be labeled by the invoice and must contain the name and address of the manufacturer and the purchaser, the delivery date, and the product name and weight. It requires, rather than allows, the commissioner to require directions for use of feeds containing drugs and requires the purpose and amount of each drug and the name of each active ingredient to be included. It also requires precautionary statements as determined necessary by the DOA.

Adulterated Commercial Feed

By law, commercial or customer-formula feed is adulterated if (1) anyone has added a poisonous, deleterious, or nonnutritive ingredient in sufficient quantity to cause harm under normal use or (2) its quality or composition differs from its label. The bill expands the ways food can be considered adulterated to include (1) ingredients present but which were not added in manufacture if they may cause harm, (2) certain substances identified as unsafe under the FDCA and (3) other ingredients or conditions.

Specifically, adulterated feed includes commercial feed:

1. containing added substances that may be unsafe, unless the substance is a pesticide used in or on raw agricultural commodities or a food additive not considered unsafe under the FDCA;

2. containing food or color additives or new animal drugs considered unsafe under the FDCA;

3. containing filthy, putrid, or decomposed substances or diseased animals, or animals killed by means other than slaughter;

4. containing drugs made, processed, or packaged in facilities or with controls that do not meet the standards set in regulation by the DOA;

5. prepared, packed, or held in unsanitary conditions or packed in containers composed of poisonous or deleterious substances; 6. intentionally subject to radiation;

6. missing a valuable constituent or containing a less valuable substitute; or

7. containing viable weed seeds in excess of the limits established by DOA regulations.

It also includes raw agricultural products containing a pesticide considered unsafe under FDCA unless (1) the pesticide was used in an allowable amount or with an

exemption; (2) the feed product was frozen, cooked, dehydrated, or otherwise processed; and (3) the pesticide residue was reduced to a safe level and to the extent possible with good manufacturing practices.

The bill authorizes the DOA commissioner to adopt regulations to assure the facilities and controls for drugs used in feed are safe and meet their claimed quality and purity characteristics. The regulations must include the good manufacturing practice requirements for medicated articles and feeds under the FDCA unless she determines they are not appropriate.

Prohibited Activities and Penalties

By law, the distribution of misbranded or adulterated commercial or customer-formula feed is prohibited. The bill expands the prohibition to include manufacture of misbranded or adulterated commercial feed. It also prohibits failure to obtain a license or registration for manufacture or distribution of feeds, but the bill does not offer such a license.

The bill eliminates the penalties, other than withdrawal or condemnation, for violating the commercial feed requirements. Under current law, the fines for first and second offenses are between $100-$300 and $300-$500, respectively.

Inspection, Sampling, and Analysis

By law, the DOA may, upon presenting proper identification, enter and inspect, at reasonable times and in reasonable manners, feed manufacturing, processing, packaging, and distribution facilities, equipment, and vehicles. The department may take and analyze feed or ingredient samples.

The bill requires that the DOA present written notice upon request to enter and inspect, complete the inspection promptly, and provide notice when it is done. If the owner of the facility refuses entry, the DOA may apply to the Superior Court for a warrant. The bill also requires that the DOA provide an appropriate employee of the facility with a receipt describing the samples taken. If a sample is in violation of the law, the owner may, within 30 days of the notice of violation, request the DOA to return the unused sample

portion.

BACKGROUND

Commercial Feed

Generally commercial feed is any feed used for pets and other animals, except unmixed seeds; commodities such as hay, straw, silage, husks and other agricultural commodities not mixed with certain other materials; and individual substances not mixed with other materials.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute Change of Reference
Yea 22 Nay 0

Judiciary Committee

Joint Favorable Substitute
Yea 39 Nay 0